

Application No.: 10/711,398

Docket No.: HXT-007

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method for selling a music-based video game, the method comprising the steps of:
 - (a) selecting a quantum of music content;
 - (b) creating a video game based on the selected music content; and
 - (c) offering for sale the created video game in a manner typically associated with the recorded music products.
2. (Original) The method of claim 1 wherein step (b) comprises creating a rhythm action video game based on the selected music content.
3. (Original) The method of claim 1 wherein step (b) comprises creating a singing video game based on the selected music content.
4. (Original) The method of claim 1 wherein step (b) comprises creating a dancing video game based on the selected music content.
5. (Original) The method of claim 1 wherein step (b) comprises creating a shooting game based on the selected music content.
6. (Original) The method of claim 1 wherein step (b) comprises creating a character action game based on the selected music content.
7. (Original) The method of claim 1 wherein step (b) comprises creating a video game based on the selected music content in which user input is received via a camera.
8. (Original) The method of claim 1 wherein step (b) comprises creating a video game based on the selected music content in which user input is received via a floor pad.
9. (Original) The method of claim 1 wherein step (b) comprises creating a video game based on the selected music content in which user input is received via a microphone.

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10. (Original) The method of claim 1 wherein step (b) comprises creating a video game based on the selected music content in which user input is received via a game controller.
11. (Original) The method of claim 1 wherein step (b) comprises creating a video game based on the selected music content in which a musical time axis is represented as a spatial path.
12. (Original) The method of claim 11 wherein the spatial path does not lie within an image plane of a display and is rendered into the image plane of the display.
13. (Original) The method of claim 1 wherein step (b) comprises creating a video game based on the selected music content in which a musical time axis is represented as a spatial path that leads to a computer-generated likeness of a musician.
14. (Original) The method of claim 13 wherein the musician is at least partially responsible for the selected music content.
15. (Original) The method of claim 13 wherein the spatial path does not lie within an image plane of a display and is rendered into the image plane of the display.
16. (Original) The method of claim 1 wherein step (b) comprises creating a video game based on the selected music content in which a musical time axis is represented as a spatial path that does not lie within an image plane of a display and in which the spatial path leads to a computer generated likeness of a musician.
17. (Original) The method of claim 1 wherein step (b) comprises creating a video game based on the selected music content and including a digitized likeness of a musician at least partially responsible for creating the selected music content.
18. (Original) The method of claim 17 wherein the digitized likeness of the musician is an animated, computer-generated model of the musician.
19. (Original) The method of claim 1 wherein step (c) comprises offering for sale as a single unit a first article of manufacture including the selected music content in a music

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playback format and a second article of manufacture including the created video game, the single unit offered for sale in a manner typically associated with a recorded music product.

20. (Original) The method of claim 1 wherein step (c) comprises offering for sale as a single unit a single article of manufacture including the selected music content and the created video game in a manner typically associated with a recorded music product.

21. (Original) The method of claim 1 wherein step (c) further comprises offering for sale separately the selected music content and the created video game in proximity to one another within a retail store in a manner typically associated with a recorded music product.

22. (Original) The method of claim 1 wherein step (c) further comprises making available for download from a single location the selected music content and the created video game.

23. (Original) The method of claim 1 wherein step (c) further comprises making the selected music content available for sale exclusively through the created video game.

24. (Original) A method for creating an interactive music video for a musical composition performed by a real world musical artist, the method comprising the steps of:

- (a) creating a computer-generated rendition of the musical artist; and
- (b) creating a video game based on the musical composition that receives input from a player and includes the created computer-generated rendition of the musical artist as a game element with which the player interacts.

25. (Original) The method of claim 24 wherein step (b) comprises creating a video game based on the musical composition in which a musical time axis is represented as a spatial path

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26. (Original) The method of claim 25 wherein the spatial path does not lie in an image plane of the display and which leads to the computer-generated rendition of the musical artist.
27. (New) The method of claim 1 wherein step (c) comprises offering for sale the created video game through a distribution channel typically associated with recorded music products.
28. (New) The method of claim 1 wherein step (c) comprises offering for sale the created video game using product placement typically associated with recorded music products.
29. (New) The method of claim 1 wherein step (c) comprises offering for sale the created video game bearing indicia on packaging typically associated with recorded music products.
30. (New) The method of claim 1 wherein step (c) comprises offering for sale the created video game at a price typically associated with recorded music products.
31. (New) The method of claim 1 wherein step (c) comprises advertising the created video game in media typically associated with recorded music products.
32. (New) The method of claim 1 wherein step (c) comprises positioning the created video game, through language used on one of packaging and advertising, in a manner typically associated with recorded music products.